

REMARKS/ARGUMENTS

Claims 1, 3-5, 7-11, 13-15, 17-19, 21-25, 27-29, 31-33, 35-37, and 39-40 are pending in this application. By this amendment, Claims 1, 5, 11, 15, 19, 25, 29, 33 and 37 are amended; Claims 2, 6, 12, 16, 20, 26, 30, 34 and 38 are canceled; and no claims are added herewith. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 15-28 were rejected under 35 U.S.C. §112, second paragraph; Claims 1, 5, 11, 15, 19, 25, 33, and 37 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,029,028 to Inoue in view of U.S. Patent No. 5,663,558 to Sakai; Claims 2, 6, 12, 16, 20, 26, 31, 35, 38, 39 were rejected under 35 U.S.C. §103(a) as unpatentable over Inoue in view of Sakai and further in view of U.S. Patent No. 4,074,217 to Yanagawa; Claims 9, 10, 13, 14, 23, 24, 27, 28, 36, and 40 were rejected under 35 U.S.C. §103(a) as unpatentable over Inoue in view of Sakai and further in view of Yanagawa and JP2002131997; Claims 15-28 were indicated as allowable if written to overcome the rejections under 35 U.S.C. §112, second paragraph; and Claims 3, 4, 7, 8 and 32 were indicated as including allowable subject matter.

With respect to the rejection of Claims 15-28 under 35 U.S.C. §112, second paragraph, Claims 15, 19 and 25 are amended by the present amendment. The features recited in Claims 15, 19 and 25 are expressed as a means for performing a specified function. Accordingly, Applicants respectfully submit that these claims and the features recited therein should be construed to cover the corresponding structure in the specification. Withdrawal of the rejection of Claims 15-28 under 35 U.S.C. §112, second paragraph, is respectfully requested.

With respect to the rejections of the claims under 35 U.S.C. §103(a), the applied art does not teach or suggest a shield movable between a first position to cover a dustproof member and a second position to uncover the dustproof member and a cleaner attached to the

shield and arranged to contact at least a part of the dustproof member during the first and second positions, as recited in Claim 1 and similarly recited in the remaining independent claims.

Instead, Inoue discloses as best shown in Fig. 5, an opening 30 that may be provided with a shutter 31 which closes the opening 30 when pressurized air is introduced into space 26, is interrupted. The shutter 31 is designed to prevent dust from adhering to the glass cover 6 when the fan 23 is stopped. The shutter 31 is located at a distance away from the glass cover 6 and does not contact the glass cover 6.

Yanagawa discloses a cleaning member 4 mounted on a free end of a holder 5 and covers the upper surface of the imaging element or light transmissive member 2 when the machine is not in its exposure mode. As shown in Figure 3, when the photosensitive member 3 is subjected to exposure, the support 1 is moved in the direction shown by arrow A. Thus, the lever 6 begins to rotate clockwise under the action of spring 7 and results in a movement of the cleaning member 4. Accordingly, the cleaning member 4 clears the upper end face of the imaging element 2. Similarly, the remaining embodiments shown in Figures 4-6, teach that the cleaning members are moved out of the exposure light path during the exposure operation.

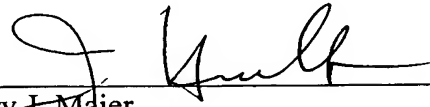
Accordingly, the applied art does not teach or suggest that the cleaner is attached to the shield and arranged to contact at least part of the dustproof member during the first and second positions. Withdrawal of the rejection of the claims under 35 U.S.C. §103(a) is respectfully requested.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a notice of allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Kevin M. McKinley
Registration No. 43,794

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)
KMM/rac

I:\ATTY\KMM\PROSECUTION WORK\250679\250679US-AM.DOC

James D. Hamilton
Registration No. 28,421